

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**KENNETH MODLIN, individually and  
as heir at law to Linda Modlin, and  
LINDA MODLIN, Deceased,**

**Plaintiff,**

**V.**

**TYSON FRESH MEATS, INC., f/k/a  
IBP, INC.,**

**Defendant.**

**CASE NO. 8:00CV533**

**ORDER OF DISMISSAL**

This matter is before the Court on the parties' Joint Motion for Dismissal with Prejudice. The Court finds that the joint motion complies with the requirements of Fed. R. Civ. P. 41(a)(1)(ii), and it should be granted. Accordingly,

**IT IS ORDERED:**

1. The Joint Motion for Dismissal with Prejudice (Filing No. 438) is granted;
2. The amended complaint and all claims in this matter are dismissed with prejudice; and
3. The parties shall pay their own costs and attorneys' fees.

DATED this 30<sup>th</sup> day of March, 2007.

**BY THE COURT:**

s/Laurie Smith Camp  
United States District Judge